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SUBJECT: KOREA'S NEXT DEMOCRATIC CHALLENGE:
INSTITUTIONALIZING THE OPPOSITION

REF: A. SEOUL 00313
[1](#)B. SEOUL 00550

Classified By: POL Joseph Y. Yun. Reasons 1.4 (b,d).

[1](#)1. (C) SUMMARY: The 18th National Assembly, plagued by bickering since its inception, has proved its inefficiency time and again and is faced with widespread public pessimism about the legislature's functionality. The inter-party conflict that has so frequently ground proceedings to a halt is, in fact, part of a larger debate about the proper role of the opposition in the legislative process -- a debate that is just starting to take shape among lawmakers. An important cause of the problem is the dichotomy between Korean culture, which values consensus, and the current political system, which is strongly majoritarian in its structure. The Korean public overwhelmingly wants greater consensus in decision making and the opposition parties clearly feel entitled to this power -- hence the frequent breakdown in the National Assembly. There are reform proposals that could bring more efficiency to the Korean political process, including term limits, enhanced proportional representation, primaries, two terms for president, and changes in cloture rules. Politicians, frustrated with lack of progress in the National Assembly, all talk about reform, but are reluctant to pursue them for fear of undermining their own power. Most experts see little likelihood that powerful Korean politician will pursue serious reform anytime soon, which means more inter-party clashes accompanied by incomplete, ad-hoc compromises. END SUMMARY.

The Call for Consensus

[1](#)2. (C) The Korean National Assembly has been in a state of disarray since taking office last June. The assumption that a Grand National Party (GNP) president and a GNP majority in parliament would facilitate passage of a wide-ranging set of bills, including some -- like the KORUS FTA -- that were of particular interest to the U.S., now seems foolishly optimistic. Anxious not to repeat the brawling spectacle of last December, the two major parties -- the GNP and the Democratic Party (DP) -- managed to come to an agreement in early March that facilitated passage of important bilateral legislation (reftel A) as well as much-needed economic reform measures.

[1](#)3. (C) At first glance, the disarray has been perplexing to

outside observers. The DP's obstructionism and demand for power sharing with the GNP, which holds a comfortable majority (170 out of 294 seats), is almost as mystifying as the public's increasing support for a more consensus-based approach in the National Assembly. According to a media survey in January, 58.7 percent of respondents wanted an agreement with rival parties over controversial legislation. In a separate January poll conducted by the Korea Society Opinion Institute (KSOI) 72 percent of respondents wanted agreement between ruling and opposition parties even if that slowed legislation. Despite the public's preference, the GNP is still reluctant to compromise with the opposition parties.

The agreement that resulted in the plenary's passage of a limited number of bills in early March was a one-off, ad-hoc deal and in no way presages smoother sailing.

¶4. (C) What seems to be a broken process, however, is very likely evidence of the next stage in Korea's democratic development. The call to incorporate the opposition into the policy decision-making process reflects concern about the unchecked power of the majority in democratic systems. Koreans, scarred by a colonial history and the authoritarian governments that followed, have a deep-seated fear of an overly strong central government, a commitment to the protection of individual rights, and a growing expectation that the people will play a role in the country's political and governing processes. If and how the nation as a whole chooses to incorporate these protections is the essence of the current debate in the National Assembly.

Majoritarian vs. Consensus-based Democracies

¶5. (C) The current Korean constitution -- in its tenth incarnation since the founding of the Republic in 1948 -- was intended to provide a strong executive, but prohibit authoritarian leaders like Park Chung-hee (1963-1979) and Chun Doo-hwan (1980-1988); hence the single, five-year term for president. The National Assembly was based on a majoritarian system, but was not supposed to yield much power or authority. However, the role of the legislature increased steadily, reflecting the society's demand for more democracy.

It is within this hybrid system that Korea's political opposition is attempting to define its proper role.

Factors That Have Sidelined the Opposition

¶6. (C) Coincidental Terms. Typically, one of the strengths of majoritarian systems is that a relatively small swing in the electorate can bring the other party into power. In Korea the President is elected to a five-year term and the unicameral National Assembly is elected to a four-year term. Last year these terms aligned so that, for the first time in Korea's short democratic history, a mere four months after electing a new president, the country also elected an entirely new National Assembly. Consequently, the current power alignment favoring the GNP will be in place for at least four years, without the public having an opportunity to pass any kind of meaningful judgment on the party's performance.

¶7. (C) Boss politics. In most majoritarian systems there is a particularly close relationship between representatives and constituents, because there is a significant incentive for constituency service in single-member districts. This close relationship provides citizens with a voice in the nation's affairs and holds elected officials accountable to constituency concerns. In Korea's case, political parties are still highly personality driven and demand almost complete factional loyalty. Consequently, a politician's success is more dependent on personal connections within the party than on constituent service. Additionally, the party decides which candidates will run for election in which district, often moving candidates into districts where they

have no personal connection. This fluidity results in representatives with weak or no ties to the community they represent.

¶8. (C) Lack of trust. One strength of majoritarian governments is that they tend to be more efficient -- the winner-takes-all system creates clear winners and losers. In Korea there is no doubt that the GNP holds the reigns of power in both the National Assembly and in the executive office, however the public has very little trust in the system's ability to check that power. Korea's long (and recent) experience with authoritarian governments and short history with democracy have resulted in a fundamental mistrust among the populace and a constant fear of a return to an authoritarian regime. This fear is particularly pervasive now because, after 10 years of liberal rule, the conservatives -- and heirs to the authoritarian governments' legacy -- are back in power. Not surprising, liberals and progressives see every move of President Lee Myung-bak as an attempt to turn the clock back to what they view as the bad old days.

Proposed Solutions

¶9. (C) Embassy contacts in academia have noted the public's support for a consensus-based approach, but debate over how to institutionalize the opposition is only just beginning in the National Assembly. In early April, a group of first-term GNP lawmakers called Minbon 21 floated several proposals that would likely reduce friction in the National Assembly and give the opposition more power.

¶10. (SBU) Filibuster. DP lawmakers -- most notably party Chief Chung Sye-kyun and former Foreign Minister Song

Min-soon (reftel B) -- have called for a filibuster system, a proposal that the Minbon 21 lawmakers also endorsed. Only one-fourth of the lawmakers would need to support the filibuster, which would provide a legal means for minority parties to obstruct legislative proceedings by extending a floor speech until three-fifths of lawmakers consented to break the filibuster. Such a system would allow opposition voices to block legislation and demand more debate without resorting to violence.

¶11. (SBU) More Power to the Speaker. The Minbon 21 members supported strengthening the authority of the National Assembly speaker, enabling that individual to better steer legislature. One Embassy contact noted that the individual parties' propensity to act in their own best interest serves as a disincentive to negotiation -- a phenomenon referred to in game theory as a "prisoner's dilemma." The Speaker should broker agreements, proponents argue, and ensure that compromises reflect relative party power. Minbon 21 suggested extending the Speaker's term to four years from the current two years and making it customary for the speaker not to run in the following parliamentary elections to reinforce his/her political neutrality. Such a system, however, depends on a great deal of confidence in the trustworthiness of a single individual.

¶12. (C) Democratization of parties. The GNP lawmakers proposed instituting a democratic electoral candidate nomination process within the political parties. As it stands, the party leadership decides through an opaque process which candidates can run in which districts. The April 2008 nomination process made clear that personal connections to the party bosses were paramount in getting the parties' blessing. Additionally, politicians have to vote along party lines if they want to stay in the leadership's good graces. Getting rid of "boss politics" would enable candidates to develop loyalty to their constituents rather than to their party leadership and thus give citizens more say in how their representative votes. The most powerful figures within the party, however, are unlikely to willingly relinquish that power, making this reform difficult.

Additional Possible Solutions

¶13. (C) A few observers have offered up ideas intended to address other problems with Korean democracy that could incorporate minority opinions or at least strengthen the voice of the citizenry in its country's democratic process.

¶14. (C) Reforming term limits. This effort is usually presented in the context of revising the constitution to allow the president to serve two, four-year terms. Instituting such a system and holding the presidential election in the middle of the National Assembly's term would give voters the opportunity to hold a de-facto referendum on the government's performance on a more regularized basis.

¶15. (C) Proportional system. Korea already has a mix of direct and proportional representatives, a mechanism that has been very effective in including more women in the National Assembly. Some advocate instituting larger, multi-member, proportional electoral districts as a means to overcome regionalism. For example, even though the majority in GNP-controlled Youngnam would vote for the GNP, the allocation of seats based on percentage of the vote for each party would create the possibility that a DP candidate could get elected. Proportional systems have been proven to be a highly-effective means of including more diversity in the assembly. Single party governments are far less likely to form under proportional electoral systems, alleviating concerns about majoritarianism by incorporating more minority voices into the decision-making process. There are downsides, however. Such a system adds inefficiency to the governing process, encourages more minor parties to form and gives them more power, introducing instability into the system.

¶16. (C) Other common approaches to obviating the perils of a purely majoritarian system are infrequently discussed in

Korea. Strengthening the rule of law over time would help reassure people that the law is being applied equally and fairly, thus increasing trust in the government. Decentralizing authority -- an option that is occasionally, but not seriously, discussed -- would devolve some of the central government's power down to the local level, giving people more of a voice in their own affairs. The use of referendums and opposition party veto are two more mechanisms some democracies use to balance the majority opinion, but neither is likely to be embraced in the foreseeable future.

Comment

¶17. (C) Koreans admit to being deeply embarrassed by the worldwide coverage of the fisticuffs and other violent happenings in the National Assembly over the past winter. There is clearly public support for changes in legislative and electoral rules toward politics of greater consensus, especially in better defining the role of the opposition. However, as always, the biggest problem is the politicians -- they are unlikely to enact sweeping reform that might undermine the parties' respective political power. Instead, party leaders will likely opt for ad-hoc agreements that enable (slow) progress on key legislation instead of spending political capital on difficult systemic reforms. This will mean fits-and-starts on legislation in the National Assembly, with little likelihood of long-term fixes.
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